

## OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

November 9, 2004  
7:30 p.m. - Council Chambers  
5300 Belt Line Road

Present: Councilmembers Braun, Chow, Hirsch, Niemann, Silver, Turner  
Absent: Mayor Wheeler

### Item #R1 – Consideration of Old Business

The following employees were introduced to the Council: Lynn Chandler (Development Services), Steve Rooney (Police) and Corey Carpenter (Fire).

### Item #R2 – Consent Agenda

Item #2a was considered separately.

Item #2b – Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$5,751 with the Dallas County Health Department for annual health services. (Approved) (R04-095)

Item #2c – Consideration of a Resolution authorizing the City Manager to enter into a contract with Trinity River Authority (TRA) for wastewater testing services. (Approved) (R04-096)

Item #2d – Consideration of a Resolution approving sponsorship in the amount of \$50,000.00 with the Cavanaugh Flight Museum to assist in the Museum's marketing efforts. (Approved) (R04-097)

Councilmember Silver moved to duly approve the above listed items. Councilmember Turner seconded. The motion carried.

Voting Aye: Braun, Chow, Hirsch, Niemann, Silver, Turner  
Voting Nay: None  
Absent: Wheeler

Item #2a – Approval of the Minutes for the October 12, 2004 Council Meeting.

Councilmember Niemann moved to approve the October 12, 2004 with a correction to reflect the Executive Session item to indicate "Festival Way". Councilmember Silver seconded. The motion carried.

Voting Aye: Braun, Chow, Hirsch, Niemann, Silver, Turner  
Voting Nay: None  
Absent: Wheeler

Item #R3 – **PUBLIC HEARING** and consideration of an Ordinance approving a change of zoning from Commercial–1 (C-1) to Planned Development (PD) with all Commercial-1 uses allowed, hotel/motel as an allowed use, and the sale of alcoholic beverages for on-premises consumption only as an allowed use, approval of development plans, and approval of a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, Wingate Inn, on application from Hospitality Management Corporation, located at 4960 Arapaho Road, represented by Mr. John O'Connor.

Mayor Pro Tempore Chow opened the meeting as a public hearing. There were no questions or comments. Mayor Pro Tempore Chow closed the meeting as a public hearing.

Councilmember Silver moved to duly pass Ordinance No. 004-048 approving a change of zoning from Commercial–1 (C-1) to Planned Development (PD) with all Commercial-1 uses allowed, hotel/motel as an allowed use, and the sale of alcoholic beverages for on-premises consumption only as an allowed use, approval of development plans, and approval of a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, Wingate Inn, on application from Hospitality Management Corporation, located at 4960 Arapaho Road, subject to the following condition:

1. The term “bar”, “tavern”, or any equivalent terms, or graphic depiction, associated with alcoholic beverages shall not be used in exterior signs.

Councilmember Turner seconded. The motion carried.

Voting Aye: Braun, Chow, Hirsch, Niemann, Silver, Turner

Voting Nay: None

Absent: Wheeler

Item #R4 – **PUBLIC HEARING** and consideration of an Ordinance approving an amendment to an existing Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 14833 Midway Road, Suite 110, on application from Kelly Catering, represented by Ms. Kelly Paullus.

Mayor Pro Tempore Chow opened the meeting as a public hearing. There were no questions or comments. Mayor Pro Tempore Chow closed the meeting as a public hearing.

Councilmember Niemann moved to duly pass Ordinance No. 004-049 Resolution No. R04-098 approving an amendment to an existing Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 14833 Midway Road, Suite 110, on application from Kelly Catering, subject to the following conditions:

1. Any dead or missing plant material on the site shall be replaced and the irrigation system for the site shall be inspected, and repaired if necessary, prior to the issuance of a Certificate of Occupancy for this restaurant.
2. The applicant shall not use any terms, including the terms “bar”, “tavern”, or graphic depictions that denote alcoholic beverages in exterior signs.

Councilmember Turner seconded. The motion carried.

Voting Aye: Braun, Chow, Hirsch, Niemann, Silver, Turner

Voting Nay: None

Absent: Wheeler

Item #R5 – **PUBLIC HEARING** and consideration of an Ordinance approving an amendment to an existing Special Use Permit for a restaurant and an amendment to an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 3885 Belt Line Road (formerly Racks), on application from Mr. Eddy Metten.

Mayor Pro Tempore Chow opened the meeting as a public hearing. There were no questions or comments. Mayor Pro Tempore Chow closed the meeting as a public hearing.

Councilmember Turner moved to duly pass Ordinance No. 004-050 approving an amendment to an existing Special Use Permit for a restaurant and an amendment to an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 3885 Belt Line Road (formerly Racks), subject to the following conditions:

1. The landscaping and irrigation systems on the site shall be pruned, renovated, and repaired (if necessary) prior to the issuance of a Certificate of Occupancy for this proposed use.
2. The applicant shall not use any terms, including the term “club”, or graphic depictions that denote alcoholic beverages in exterior signs.

Councilmember Silver seconded. The motion carried.

Voting Aye: Braun, Chow, Hirsch, Niemann, Silver, Turner

Voting Nay: None

Absent: Wheeler

Item #R6 – **PUBLIC HEARING** and consideration of an Ordinance approving a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 5290 Belt Line Road, Suite 110, on application from Chipotle Mexican Grill.

Mayor Pro Tempore Chow opened the meeting as a public hearing. There were no questions or comments. Mayor Pro Tempore Chow closed the meeting as a public hearing.

Councilmember Turner moved to duly pass Ordinance No. 004-051 approving a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 5290 Belt Line Road, Suite 110, subject to the following conditions:

1. Any dead or missing plant material on the site shall be replaced and the irrigation system for the site shall be inspected, and repaired if necessary, prior to the issuance of a Certificate of Occupancy for this restaurant.
2. The applicant shall not use any terms, including the terms "bar", "tavern", or graphic depictions that denote alcoholic beverages in exterior signs.

Councilmember Braun seconded. The motion carried.

Voting Aye: Braun, Chow, Hirsch, Niemann, Silver, Turner  
Voting Nay: None  
Absent: Wheeler

Item #R7 – **PUBLIC HEARING** and consideration of an Ordinance approving development plans in an existing Planned Development (PD) district, located on the northeast corner of Marsh Lane and Belt Line Road, on application from Century Bank, represented by Mr. Joel Miller of TAC Development.

Mayor Pro Tempore Chow opened the meeting as a public hearing. There were no questions or comments. Mayor Pro Tempore Chow closed the meeting as a public hearing.

Councilmember Silver moved to duly pass Ordinance No. 004-052 approving development plans in an existing Planned Development (PD) district, located on the northeast corner of Marsh Lane and Belt Line Road, on application from Century Bank, subject to the following conditions:

1. All mechanical equipment must be screened from view.
2. The applicant must provide a 2-foot dedication for a free right turn lane on the site. The dedication can be performed by either a replat or separate instrument.

Councilmember Turner seconded. The motion carried.

Voting Aye: Braun, Chow, Hirsch, Niemann, Silver, Turner  
Voting Nay: None  
Absent: Wheeler

Item #R8 – **PUBLIC HEARING** on the proposed issuance by the City of one or more series of Combination Tax and Revenue Certificates of Obligations, Series 2004 (the “Certificates”) for airport improvements in the amount of \$4.4 million.

Mayor Pro Tempore Chow opened the meeting as a public hearing. There were no questions or comments. Mayor Pro Tempore Chow closed the meeting as a public hearing.

No action was taken.

Item #R9 – Consideration of an Ordinance approving a meritorious exception to Chapter 62, Signs, Section 62-163, Area, for Wachovia Bank, located at 5080 Spectrum Drive, on application from Accent Graphics, Inc.

Councilmember Niemann moved to duly pass Ordinance No. 004-053 approving a meritorious exception to Chapter 62, Signs, Section 62-163, Area, for Wachovia Bank, located at 5080 Spectrum Drive, subject to no conditions. Councilmember Braun seconded. The motion carried.

Voting Aye: Braun, Chow, Hirsch, Niemann, Silver, Turner  
Voting Nay: None  
Absent: Wheeler

Item #R10 – Consideration of a Resolution authorizing the City Manager to enter into an advertising contract in the amount \$128,482.00 with the Dallas Morning News to purchase twenty-six (26) insertions in the Friday Guide.

Councilmember Niemann moved to duly pass Resolution No. R04-102 authorizing the City Manager to enter into an advertising contract in the amount \$128,482.00 with the Dallas Morning News to purchase twenty-six (26) insertions in the Friday Guide. Councilmember Turner seconded. The motion carried.

Mayor Wheeler entered the Council Chambers.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner  
Voting Nay: None  
Absent: None

Item #R11 – Consideration of a Resolution authorizing the execution of an Interlocal Agreement with government entities utilizing the DemandStar online purchasing system.

Councilmember Turner moved to duly pass Resolution No. R04-103 authorizing the execution of an Interlocal Agreement with government entities utilizing the DemandStar online purchasing system. Councilmember Silver seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner  
Voting Nay: None  
Absent: None

Item #R12 – Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$94,175.00 with Houston-Galveston Area Council for the purchase of five (5) vehicles.

Councilmember Turner moved to duly pass Resolution No. R04-104 authorizing the City Manager to enter into a contract in the amount of \$94,175.00 with Houston-Galveston Area Council for the purchase of five (5) vehicles. Councilmember Chow seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R13 – Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$52,000.00 with ZOLL Data System for the purchase of an Electronic Patient Data System, subject to final review and approval of the City Attorney.

Councilmember Chow moved to duly pass Resolution No. R04-105 authorizing the City Manager to enter into a contract in the amount of \$52,000.00 with ZOLL Data System for the purchase of an Electronic Patient Data System, subject to the inclusion and clarification of travel expenses/payments with final review and approval of the City Attorney. Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner

Voting Nay: None

Absent: None

There being no further business before the Council, the meeting was adjourned.

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Mayor

Attest:

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City Secretary